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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/866,232	05/25/2001	Luis Tomas Sorell Gomez	976-10	5854

23869 7590 08/12/2004

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EXAMINER

NGUYEN, BAO THUY L

ART UNIT

PAPER NUMBER

1641

DATE MAILED: 08/12/2004

Please find below and/or attached an Office communication concerning this application or proceeding.



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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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09/866,232

EXAMINER

ART UNIT

PAPER

08102004

DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner for Patents

See Attached.

Bao-Thuy L. Nguyen  
Primary Examiner  
Art Unit: 1641

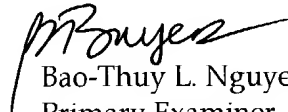
*Notice of Non-Compliant Amendment*

1. Applicant's amendment filed 5/12/2004 has been received. The amendment directs the Office to cancel claims 1-5 and add claims 6-20. This amendment does not comply with 37 CFR § 1.145 because Applicant cannot switch invention after an office action on the merits has been received. Applicant presents claims directed to inventions distinct from and independent of the invention previously claimed. Applicant is required to restrict the claims to the invention previously claimed if the amendment is entered, subject to reconsideration and review as provided in §§ 1.143 and 1.144.
2. The previous invention was an assay method to detect IgA and IgG transglutaminase antibodies in a liquid sample using a substrate having transglutaminase antigen coated thereon. In the amendment dated 5/12/2004, the invention has been changed to a system and method for detecting celiac disease. These new inventions are distinct from and independent of the invention previously claimed. Applicant is required to restrict the claims to the invention previously claimed.
3. Since the amendment appears to be a *bona fide* attempt to be a reply (37 CFR 1.135(c)), applicant is given a TIME PERIOD of ONE MONTH from the mailing date of this notice within which to re-submit the corrected section which complies with 37 CFR 1.145 in order to avoid abandonment.
4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bao-Thuy L. Nguyen whose telephone number is (571) 272-0824. The examiner can normally be reached on Tuesday and Thursday from 9:00 a.m. - 4:30 p.m..

Art Unit: 1641

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Long V. Le can be reached on (571) 272-0823. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
Bao-Thuy L. Nguyen  
Primary Examiner  
Art Unit 1641  
8/10/04